## STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES WASTE MANAGEMENT COUNCIL

No. 05-09 WMC (Nos.05-09 WMC, 05-10 WMC, and 05-11 WMC Combined Appeal) RECEIVED
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### APPEAL OF REGENESIS CORPORATION In Re Solid Waste Permit No. 04-010

# REGENESIS' OPPOSITION TO DES'S MOTION FOR CLARIFICATION OR IN THE ALTERNATIVE RECONSIDERATION

For all the reasons previously stated by Regenesis Corporation in its submissions to the Council, Regenesis opposes DES's Motion for Clarification or in the Alternative Reconsideration.

As a further basis for its Opposition, Regenesis states that this process has already lasted a year since the Hearing Officer rendered his Decision on June 23, 2005. Yet more time will pass with the inevitable appeal(s) to the Supreme Court. Regenesis will definitely appeal unless the Council grants its Motion for Rehearing in entirety; and Regenesis believes that other parties will appeal unless the Council grants their pending Motions. Hence, as a practical matter, regardless of how the Council rules, no final resolution will occur until the Supreme Court rules. It is time for this matter to proceed to the Supreme Court.

Respectfully submitted, REGENESIS CORPORATION, By its Attorneys, Sheehan Phinney Bass & Green, P.A.

Dated: June 23, 2006

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### **CERTIFICATE OF SERVICE**

I certify that copies of the foregoing were mailed this date to the Service List.

Dated: June 23, 2006



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